

Daniel F. Godfrey

From: Peter Lettiere
Sent: Sunday, May 28, 2017 12:58 AM
To: Daniel F. Godfrey
Subject: Officer Hudson / Incident 17-1183

On May 26th, 2017, at approximately 2258 hours, Officer Wright had a vehicle stopped on a traffic stop at 5200 W. 65th Street. Several minutes into the stop, the vehicle fled from the stop location and subsequently crashed into a fence on the North-East corner of 65th and Cicero. The driver fled on foot and Officer Wright initiated a short foot pursuit which led to the capture of the driver shortly thereafter.

Officer Hudson arrived on scene to assist Officer Wright with handcuffing and taking the subject into custody. The subject initially did resist prior to the application of handcuffs and was charged accordingly.

The arrestee was transported to the station for booking without further incident.

At approximately 0100 hours on May 27th, nearly 2-hours after the incident, Officer Hudson walked into my Office and asked me if he needs to complete a Taser Usage report because he had tased (drive-stun) the arrestee because the arrestee refused to place his legs inside the rear seat of the squad car when they had taken him into custody. I immediately advised him of my concern for NOT having knowledge of that. Because I was reviewing video at the time with Officer Wright, I advised Officer Hudson that he would absolutely need to complete a Taser Usage report, at which time he left my office.

After completing my video review with Officer Wright, who also never advised of the taser usage, I had the opportunity to review the rear-seat camera footage from Officer Hudson's squad car, which is the unit the arrestee was placed into.

The video shows the arrestee, handcuffed behind his back, being placed into the back seat of Unit 12. Officers can be heard telling the arrestee to put his feet into the vehicle so the door could be closed. It appears that the arrestee was refusing to do this. The arrestee did not appear to be aggressive in any way. He appeared to only be refusing to place his legs into the back seat. Several attempts were made to pull and slide the subject from the other side. These attempts failed. At some point Officer Hudson unholsters his taser and removes the cartridge. The taser is heard being activated a few times with no reaction from the arrestee. The taser is then heard being activated again in which the arrestee yells, apparently as a result of the drive stun. The taser is then heard again with no reaction from the arrestee. There was no further use of the taser. Officers on scene then again attempted to pull and slide him from the other side and were finally successful in getting the arrestee completely in the vehicle so as to close the vehicle door.

After my initial review, I believe Officer Hudson violated our Use of Taser policy (40.26-B).

Our Use of Taser policy states:

The Taser X-26 may be used under the following conditions:

1. *To gain control of an offender who an officer reasonably believes has committed or is going to commit a serious offense and who fails to respond to officer commands and low level force options and has indicated that he/she may resist arrest, or*
2. *To gain control of an offender who becomes aggressive towards officers, others, or places the officer in fear of receiving a battery, or*
3. *To gain control of a suicidal subject that may pose a risk to him/herself, the public or officers, or*
4. *To gain control of an animal that is, or potentially is, a danger to the officer or others.*

A serious offense, as used in this policy, is defined as a forcible felony or an offense involving the threat or infliction of bodily harm to an officer or other person.

The Taser X-26 will never be used punitively or for purposes of coercion. It is to be used as a way of averting a potentially injurious or dangerous situation.

Where feasible, an officer will issue a warning to a subject prior to deploying the Taser X-26.

Where feasible, prior to firing the Taser X-26, the officer will call out in a clear, loud voice "Taser, Taser, Taser" in order to notify officers on scene that he is deploying the Taser.

The arrestee was handcuffed behind his back and already inside the squad car. His only resistance, which appeared passive, was not placing his legs and feet completely inside the vehicle in order to close the door. From the video, the arrestee never became aggressive while inside the squad car and did not appear to pose any risk to any of the Officers on scene at that point. I don't believe Officer Hudson's use of taser on this arrestee met the requirements of our policy.

Officer Hudson, per the video, also appears to have failed to give the warnings that the policy requires, if feasible.

At approximately 0200 hours on May 27th, I called Officer Hudson into my office to discuss this incident with him. I advised him of the reasons I felt his taser usage did not comply with our policy. I asked him if he felt that the arrestee, while handcuffed in the backseat, had become aggressive towards officers to the point that he was in fear of receiving a battery and Officer Hudson replied "no". I also advised him that the use of a taser needs to be reported immediately to the shift supervisor. During our discussion, I reviewed our Use of Taser policy (40.26-B) with Officer Hudson.

Officer Hudson completed a supplemental Capers report and a Taser Usage report.

I have provided you with a copy of the squad car video regarding this incident for your review (on a jump-drive in your mailbox).

Nothing further at this time.

Lt. Lettiere #36

Lieutenant Pete Lettiere #36
Bedford Park Police Department
6701 S. Archer Ave.
Bedford Park, IL, 60501
708-458-3388 (ext.336)

Daniel F. Godfrey

From: Daniel F. Godfrey
Sent: Monday, June 5, 2017 12:10 PM
To: Kristina Gossage
Subject: Internal Investigation: 17-1183

Consider this email as a direct order.

I am conducting an informal investigation into the improper "Use of Force" on 26 May 2017 during the arrest of subject Chavez, Carlos A; M/Hispanic; 09/21/1985; for Fleeing and Resisting from Officer Wright. I am requiring you to submit a To:From (an email response will be sufficient) as to the events surrounding the Apprehension of, and events that took place up to and including placing the subject in the vehicle prior to transportation to the station. Respond to the following questions:

- 1) Upon Officer Hudson's arrival at the scene where Ofc. Wright had the offender on the ground in the 6400 blk of Keating, what were Ofc. Hudson's actions?
- 2) During the placement of the offender in the police vehicle, what were Ofc. Hudson's actions?
- 3) Did you hear Ofc. Hudson give a verbal warning to the offender that a Taser would be deployed?
- 4) Was the offender a threat to Ofc. Hudson and/or any other officer or person at the time of deployment?

Be informed that this request may be followed up with an in-person interview if necessary.

Also, during this investigation you are not to discuss the events of the incident under investigation nor your response to this inquiry.

Your response is due by 9 June 2017.

Daniel Godfrey

Chief of Police
Bedford Park Police Department
6701 S. Archer Rd.
Bedford Park, IL 60501

Daniel F. Godfrey

From: Daniel F. Godfrey
Sent: Monday, June 5, 2017 12:11 PM
To: Aaron Wright
Subject: Internal Investigation: 17-1183

Consider this email as a direct order.

I am conducting an informal investigation into the improper "Use of Force" on 26 May 2017 during the arrest of subject Chavez, Carlos A; M/Hispanic; 09/21/1985; for Fleeing and Resisting from Officer Wright. I am requiring you to submit a To:From (an email response will be sufficient) as to the events surrounding the Apprehension of, and events that took place up to and including placing the subject in the vehicle prior to transportation to the station. Respond to the following questions:

- 1) Upon Officer Hudson's arrival at the scene where Ofc. Wright had the offender on the ground in the 6400 blk of Keating, what were Ofc. Hudson's actions?
- 2) During the placement of the offender in the police vehicle, what were Ofc. Hudson's actions?
- 3) Did you hear Ofc. Hudson give a verbal warning to the offender that a Taser would be deployed?
- 4) Was the offender a threat to Ofc. Hudson and/or any other officer or person at the time of deployment?

Be informed that this request may be followed up with an in-person interview if necessary.

Also, during this investigation you are not to discuss the events of the incident under investigation nor your response to this inquiry.

Your response is due by 9 June 2017.

Daniel Godfrey

Chief of Police
Bedford Park Police Department
6701 S. Archer Rd.
Bedford Park, IL 60501

INTEROFFICE MEMORANDUM

TO: OFFICER HUDSON
FROM: CHIEF DAN GODFREY
SUBJECT: PRE-DISCIPLINE MEETING
DATE: 6/5/2017 10:09:00 AM
CC: LT. LETTEIRE

In accordance with the labor agreement between the Illinois FOP Labor Council and the Village of Bedford Park for Patrol Officers and Sergeants: Article 5 – Discipline and Discharge, Section 5.5 Pre Discipline Meeting, I hereby advise you of the following:

You are instructed to contact your FOP representative to be made available either on Thursday, June 15 or Friday, June 16 at 1000 hours for the purpose of a Pre-Discipline Meeting relating to your actions on 26 May 2017, specifically during the incident 17-1183 of which you were an active participant. At the meeting you will be given notice of the charges and contemplated actions as well as all evidence available at that time and an opportunity to be heard on those charges

If you or your FOP representative are not available for either of those dates, you will notify me in writing, via email, no later than Friday, 9 June 2017, by 1500 hours.

Daniel F. Godfrey

From: Kristina Gossage
Sent: Tuesday, June 6, 2017 12:15 PM
To: Daniel F. Godfrey
Subject: Re: Internal Investigation: 17-1183

Chief Godfrey,

These are my responses regarding incident 17-1183 to the best of my recollection.

1) Upon Ofc. Hudson's arrival at the scene where Ofc. Wright had the offender on the ground in the 6400 blk of Keating, what were Ofc. Hudson's actions?

Ofc. Hudson ran over to Ofc. Wright's location and attempted to gain control of the offender's left arm, which he held underneath his body, in order to be able to handcuff the offender.

2) During the placement of the offender in the police vehicle, what were Ofc. Hudson's actions?

Ofc. Hudson placed the offender in a seated position in the back of the police vehicle. The offender refused to place his feet into the vehicle. Ofc. Hudson gave the offender verbal commands to put his feet into the vehicle, to which the offender did not comply. Ofc. Hudson laid the offender on his back in the rear of the police vehicle and attempted to slide his legs into the vehicle with negative results. Ofc. Hudson then went to the passenger side of the police vehicle and attempted to pull the offender into the vehicle with negative results. Ofc. Hudson then returned to the drivers side and gave the offender additional verbal commands to put his feet in the vehicle. The offender still refused to put his feet in the vehicle and Ofc. Hudson stated that a Taser would be deployed. Ofc. Hudson then deployed his Taser and conducted an arc display. The offender continued to disregard Ofc. Hudson's orders. Because I was behind Ofc. Hudson I did not observe the Taser being used, but I did hear the Taser being used for a dry stun.

3) Did you hear Ofc. Hudson give a verbal warning to the offender that a Taser would be deployed?

I did hear Ofc. Hudson give a verbal warning to the offender that a Taser would be deployed prior to presenting an arc display.

4) Was the offender a threat to Ofc. Hudson and/or any other officer or person at the time of deployment?

I did not perceive the offender to be a threat at the time of deployment, only non compliant.

Kristina Gossage #63

Sent from my iPhone

On Jun 5, 2017, at 12:12 PM, Daniel F. Godfrey <dgodfrey@bedfordparkpd.com> wrote:

Consider this email as a direct order.

I am conducting an informal investigation into the improper "Use of Force" on 26 May 2017 during the arrest of subject Chavez, Carlos A; M/Hispanic; 09/21/1985; for Fleeing and Resisting from Officer Wright. I am requiring you to submit a To:From (an email response will be sufficient) as to the events

surrounding the Apprehension of, and events that took place up to and including placing the subject in the vehicle prior to transportation to the station. Respond to the following questions:

- 1) Upon Officer Hudson's arrival at the scene where Ofc. Wright had the offender on the ground in the 6400 blk of Keating, what were Ofc. Hudson's actions?
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- 3) Did you hear Ofc. Hudson give a verbal warning to the offender that a Taser would be deployed?
- 4) Was the offender a threat to Ofc. Hudson and/or any other officer or person at the time of deployment?

Be informed that this request may be followed up with an in-person interview if necessary.

Also, during this investigation you are not to discuss the events of the incident under investigation nor your response to this inquiry.

Your response is due by 9 June 2017.

Daniel Godfrey


Chief of Police

Bedford Park Police Department

6701 S. Archer Rd.

Bedford Park, IL 60501

INTEROFFICE MEMORANDUM

TO: OFFICER J. HUDSON
FROM: CHIEF DAN GODFREY 
SUBJECT: SUSPENSION
DATE: 6/20/2017
CC: PERSONNEL FILE

On 26 May 2017 at approximately 2258 hrs while assisting Ofc. Aaron Wright on an arrest (17-1183) you violated Rules and Regulations: Use of Taser Policy 40.26-b in that you used the Taser in the "dry stun" manner on an individual handcuffed in custody. You violated the policy in that you did not warn the offender of the use of the Taser by verbally stating "Taser, Taser, Taser" prior to the use. Further, you used the Taser for the purpose of *coercion* or *punitively* in the attempt to put the offender in the back seat of the police vehicle for transportation when he was resisting your efforts in a passive non-compliant way. In violating the Use of Taser policy, you also violated the Use of Force policy.

As per the Pre-Discipline meeting, by mutual agreement, you will be suspended for one day (12 hour shift). This suspension shall be deferred for a period of one (1) year and you will be placed on probation. During that year, if no other similar incident is recorded, the suspension would be negated and this would remain in your personnel file as a written reprimand. However, if during the probation period, if a similar occurrence occurs, the suspension would be upheld in addition to any discipline as a result of the new occurrence.